

North Carolina Agriculture Cost Share Program Review Summary
(June,2017)

County	Halifax (Fishing Creek) SWCD	Date of Previous Review/Report	October 2012
District Staff Name(s)	Pam Bradley, Will Mann, Chad Warren	Date	June 21, 2017
NRCS Staff Name(s)	Terry Best		
Division Representative(s)	Ken Parks, Louise Hart, Julie Henshaw		
Additional Participants			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	CorrectiveAction	No Concerns/ Not Applicable		Yes	No			
Section 1: Application Procedures and Tracking Progress (BMP Implementation and Payments) Questions in this section focus on how the district advertises the program, how applications are developed, how contracts are developed, how funds are tracked and how the board approves each.										
How/when are the district board meetings scheduled?				X	At least 6 board meetings are held throughout the year. The meetings are based on deadlines.		X			
How do you notify the public of the board meeting schedule? Does it adhere to the Open Meetings Law?		X			The notices are posted on the office door in the office. The Division recommends that you consider posting meeting on the district or	X		The division recommended that we consider posting board meetings more publicly. We have been posting not only in the office but in	2/6/2018	Plan of action accepted.

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					county website as well as with the county clerk of court. While it has not been formally decided if soil and water district boards fall under “county government” it is recommended they follow the same procedures outlined in http://www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_143/Article_33C.html section § 143-318.12.			<i>the surrounding areas like the court house and agricultural building lobby. We are continuing to find new and more areas where there is more foot traffic.</i>		

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<i>Please describe the district's process for providing assistance to applicants by assessing resource concerns to determine if a BMP is "needed and feasible" and then developing the conservation plan.</i>				X	The district technician talks with the applicant to find out what the resource concern is. Then staff will go do a site visit. An application is offered along with beginning the conservation planning process. They look at the different BMPs needed and review potential programs for financial assistance. Staff uses Toolkit consistently.		X			
<i>In what instances does the district provide technical assistance without cost share funds?</i>				X	They offer technical assistance when only minor work is needed or there are no eligible programs. Staff provided examples of the work they do with technical assistance only and it includes smaller grass waterways and terraces that need to be redone and helping people address drainage issues.		X			
<i>Are applications reviewed and approved by the Board as a separate action item?</i>				X	Yes.		X			
<i>Are application motions/decisions recorded in the board minutes?</i>		X			Yes, but would recommend including the names of the supervisor who makes and seconds motions in the minutes.	X		<i>The division recommended that application motions/decisions are recorded with the name of the supervisor who makes the motions/seconds in the minutes. Since the review, we have been doing this in each board meeting and will continue to do so in the</i>	2/6/2018	Plan of action accepted.

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								future		
Applicants are limited when applying for incentive BMPs. How does your district track applicants so they do not go over the practice caps and to be sure they haven't already "adopted" the practice? Is your district using the self-certification for incentives form provided by the division?				X	The district uses a spreadsheet to track these incentive BMPs. Yes, it is being uploaded in CS2.		X			
If multiple partners farm together, how does the district track individual applicants as one operation or entity?				X	These are tracked through the incentive form.		X			
At what point in the application process does the district develop the contract? Describe this process.			X		Pam works on the eligibility forms then Will schedules a field visit and does the inventory form, camera, level, etc. They take the field information and put together a conservation plan and contract. They put all this info. in a 6-part folder. The district is using old 2012 contract forms and is not using CS2 as intended and therefore given a corrective action . Instead of duplicating contract information on	X		The division gave us a corrective action regarding developing a contract and the process. Since the review, our Cost Share Specialist has been formally trained and is now using CS2 for all contracting needs.	2/6/2018	Plan of action accepted.

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					paper, Staffmust use CS2 to enter all contract information directly and use the forms in CS2. Previous versions of forms will no longer be accepted by the division. If previous versions of forms are used, contracts and payments will be pended until corrected.					
Describe how the district reviews the contract with the applicant. Do you explain that work cannot begin until the contract is approved by the division?				X	The technician tells the farmer or landowner to start work after the division approves the contract.District gives a letter for contract approvals.		X			
Describe the district/board's procedure for approving supervisor contracts.				X	Supervisors are required to abstain from voting and they often leave the room during this part of the meeting.		X			
<i>Are contracts reviewed and approved by the Board as a separate action item?</i>				X	Yes.		X			
<i>Are contract motions/decisions recorded in the board minutes?</i>		X			Yes, the division recommends the district include the names of the board members that make and second motions.		X	<i>The division recommended that contract motions/decisions are recorded with the name of the supervisor who makes the motions/seconds in the minutes. Since the review, we have been doing this in each board meeting and will continue to do so in the future.</i>	2/6/2018	Plan of action accepted.

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Is it documented in the Board minutes that the supervisor abstained from discussing his/her own contract and from voting?				X	Yes, they have not had one in the last 10 years.		X			
What procedures do you follow for notifying the applicant that work can begin?				X	The technician tells them in person and sends a letter.		X			
What information do you provide the applicant?				X	The applicant gets mailed all the contract forms, designs, maps, etc.		X			
What technical assistance do you provide during the BMP installation process to ensure the BMP is installed correctly and by the contract deadline?				X	After meeting the farmer and contractor they will check and setup site meetings to go over the BMP installation process.		X			
How do you track the Commission's interim performance milestone? One-third of the work must be completed within 12 months of division approval.				X	Staff meets with the farmers to check the progress. The district informs the supervisors on where progress is at with the BMP installations.		X			
If 1/3 of the work has not been completed within 12 months and the cooperator requests additional time, is the district recording 6-month extensions in the board minutes?	X				Yes, they have a farmer that requested a 6-monthextension and the district uses their own form for documentation and is commended on how they work with the cooperators in getting the 1/3 rd work completed on time.		X			


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What documentation do you include in the contract file that certifies that the BMP was inspected and is installed to the standards and specifications?				X	The district uses an NRCS check out sheet to inspect BMPs. They also have a job book in each folder. They note a final check in the 6 notes.		X			
Are BMPs measured then certified before the request for payment is approved? How is this documented?				X	Yes, the documentation is done on the checkout sheet and job book.		X			
Are receipts received and reviewed for CSP BMPs that are based on actual cost?				X	Yes.		X			
Are request for payments reviewed and approved by the board as a separate action item?			X		Yes. The strategy plan says supervisors have signature authority, but does not list the names of the supervisors. Please follow the Approval of Cost Share Applications, Contracts and Requests for Payments policy Corrective action given to record the names of the supervisor with signature authority in the minutes and the strategy plan under local board policies.	X		<i>The division gave us a corrective action on not recording the names of the supervisor with signature authority in the minutes and the strategy plan under local board policies. This will be corrected in the strategy plan according to the divisions "Approval of Cost Share Applications, Contracts and Requests for Payments Policy".</i>	2/6/2018	Plan of action accepted.
Are payment motions/decisions recorded in the board minutes?				X	Yes.		X			
Section 2: Spot Checks and Compliance Issues Questions in this section focus on how the district reviews BMPs for compliance and how maintenance and/or non-compliance issues are addressed.										

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Who participates in annual spot checks? When are they conducted?				X	The spotchecks are usually done in early April after a board meeting. Chad, Will and 3 supervisors attend the spotchecks and their NRCS DC also when he can.		X			
How does the district randomly select which contracts to spot check?			X		Staff selects contracts by picking based on the expiration of the contract, BMP type and geographic region. The 5% are not randomly selected. Per the Commission's Cost Share Programs Spot Check Policy , contracts should be randomly selected. Districts may add more contracts to spotcheck to still meet the goals using your current criteria. A corrective action is given.	X		The division gave us a corrective action on how the staff randomly selects contracts for review. We previously picked contracts based on the expiration of the contract. In the future, we will select every 15th contract until the percentage needed is met.	2/6/2018	Plan of action accepted.
Are all BMPs under the waste management category spot checked for the first five years after installation? This applies to all farms that fall under the thresholds that are regulated by DWR.				X	They do not have any.		X			
Are all agriculture new ponds, pond repair/retrofits, and water collection systems being spot-checked every year during the maintenance period?				X	Yes.		X			
Are all agriculture road repair/stabilizations being spot-checked at least every 2 years during the maintenance period?				X	N/A. They do not have any of these BMPs.		X			


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How does the district notify the NRCS area office (for ACSP contracts) or division (for CCAP contracts) to conduct spot checks on lands owned or operated by a district, county, division or NRCS employee or districtsupervisor? This includes CPOs, revisions, supplements or repairs.				X	They do not have any contracts in this category.		X			


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The North Carolina Statute 02 NCAC 59D.0107(f) states "If the technical representative of the district determines that a BMP for which program funds were received has been destroyed or has not been properly maintained, the applicant will be notified that the BMP must be repaired or re-implemented within 30 working days. For vegetative practices, applicants are given one calendar year to re-establish the vegetation." How does your district notify individuals that have destroyed or mismanaged a BMP?				X	The district informs the board first with information and pictures. Then they call the farmer and then follow-up with a letter also. http://www.ncagr.gov/SWC/costshareprograms/documents/noncompliance_jan2014.pdf		X			
How are supervisors notified of BMPs that are found to be destroyed or mismanaged at any time throughout the year?				X	They are notified at board meetings.		X			
Does the district provide a written notice that the BMP must be repaired or re-implemented within 30 working days? (Vegetative practices have to be reestablished within one calendar year.) Is a copy of the notification kept in the contract file?		X			Yes. The division recommends including a follow-up deadline in the letter per commission policy. http://www.ncagr.gov/SWC/costshareprograms/documents/noncompliance_jan2014.pdf	X		<i>The division recommended to include a follow-up deadline regarding a BMP being repaired or re-implemented. We will follow the division's policy of "Non-Compliance with Maintenance Requirements for Cost Share Contracts" in the future.</i>	2/6/2018	Plan of action accepted.
If the BMP was not repaired or re-implemented, was repayment requested? Please provide documentation.				X	Yes, it is documented in the files.		X			


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Is the district notifying the division of non-compliance and resolutions?			X		No, a corrective action is given. Districts are required to notify the division of non-compliance issues. Please review the compliance at the following link below: http://www.ncagr.gov/SWC/costshareprograms/documents/noncompliance_jan2014.pdf	X		The division gave us a corrective action about notifying the division of non-compliance and resolutions. Again, the district will follow the division's non-compliance policy of "Non-Compliance with Maintenance Requirements For Cost Share Contracts" in the future.	2/6/2018	Plan of action accepted.
Section 3: Record Keeping Questions in this section focus on how funds are managed and accounted for, maintaining proper design and job approval authority, as well as disclosure forms.										
How does the district track BMP funds?				X	The district has a spreadsheet to track the contract and BMP funds.		X			
In what instances does the district use the division on-line (website & CS ²) reports?				X	Yes.		X			
How are technical assistance and operating funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	These are tracked by the county finance dept.		X			
Who in the office is funded by Cost Share Technical Assistance (TA) from the State?				X	Chad Warren		X			
How are matching funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	These are tracked by the county finance dept.		X			


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Is proper job approval authority (JAA) documented for each technical and cost share position? Please provide a copy of the latest approved JAA.				X	Will has his JAA documentation and Chad does not have any JAA. The division encourages Chadto obtain JAA for a minimum of two BMPs within two years of his hire date by following the JAA process.		X			
Section 4: Contract Reviews and Site Visits Below is a list of the contracts the division reviewed. Spot checks were also conducted. Notes include recommendations and/or corrective action for contract files as well as the BMP. Contracts/BMPs are listed by contract number.										
Contract Number:42-2010-012 Applicant Name: Anthony Sessoms BMP: Solid Set Waste Irrigation 				X	The BMP was functioning properly and looked good. Documentation in the file looked good.		X			

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Contract Number: 42-2013-001 Applicant Name: Troy Wilkerson BMP: 3yr. Conservation Tillage				X	The BMP was functioning properly and looked good. Documentation in the file looked good.		X			


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Contract Number: 42-2014-006 Applicant Name: Matthew Whitehead BMP: 3yr. Conservation Tillage		X			The BMP was functioning properly and looked good.	X		The division gave us a recommendation about leaving blanks in the ranking sheet. In the future, the district will completely fill out ranking sheets with a "0" or "n/a" if the ranking is not applicable.	2/6/2018	Plan of action accepted.


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					Recommend to have ranking forms filled out with no blanks.					
Contract Number: 42-2011-025 Applicant Name: Hills Ferry, LLC BMP: Grade Stabilization Structure, Critical Area Planting				X						


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					The BMP was functioning properly. Documentation in the file looked good.	X				
Contract Number: 42-2016-002 Applicant Name: Melissa Dickens BMP: 3yr. Conservation Tillage				X	The BMP was functioning properly and looked good. Documentation in the file looked good.		X			

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Contract Number: 42-2017-005 Applicant Name: Joshua Blackman BMP: 3yr. Conservation Tillage No photo taken of peanuts.				X	BMP is functioning. No concerns. The letter in the file states Mr. Blackman can plant the two acres he did not plant in this contract in 2018. Please be aware since the two acres were canceled out of the original contract, Mr. Blackman would need to re-apply for a 2018 contract. This contract would need to be division approved before the acres could be planted.		X			
Contract Number: 42-2007-050 Applicant Name: Cabot Crawley BMP: Grassed Waterways			x					Regarding contract 42-2007-050 the division gave the district corrective action to widen and reshape waterways. The contract has expired. The district has	2/6/2018	Plan of action accepted.

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					<p>The BMP was functioning, but corrective action to widen the waterway to proper specifications and reshape and reseed. Being the contract has now expired, no cost recovery is needed. The board and staff should review all cost share contracts for grassed waterways and field borders to ensure the proper width is maintained for the life of the contract.</p> <p>There were no benchmark measures or conservation plan in the file.</p> <p>Acorrective actionis given to include all documentation in the file including benchmarks and conservation plans.</p>	X		<p><i>already spoken with the landowner and he wants to get them fixed. We have already offered technical assistance from the district to help get the waterways back into shape.</i></p> <p><i>There is also a corrective action from the division to include documentation in the six-part folder which is benchmarks and conservation plans for contract 42-2007-050 in the future the district will make sure that these documents are included in the six-part folders.</i></p>		
								<p><i>Regarding contract 42-2008-006 the division gave us a recommendation to remove small trees in the BMP and to spray for weed control, the BMP is still</i></p>	2/6/2018	Plan of action accepted.

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<p>Contract Number: 42-2008-006 Applicant Name: Silvertown Farms BMP: Cropland Conversion to Grass</p> 		X			<p>The BMP was functioning properly, but it is recommended to remove the small trees and spray for weed control if the intention is to maintain it in grass.</p> <p>There were no benchmark measures or conservation plan in the file. See comment above.</p>	X		<p><i>functioning properly though. There is also a recommendation for documentation regarding a conservation plan in the six-part folder. In the future the district will make sure that these documents are included in the six-part folders. There has been a letter sent to the landowner expressing the concerns.</i></p>		

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<p>Contract Number: 42-2016-811 (AgWRAP) Applicant Name:Isles Farms BMP: Irrigation Well</p> 			X		<p>The BMP was in place and functioning.</p> <p>There was a discrepancy on the footage of the well that was installed based on the well driller certification plate, well checkout form and the RFP. The well driller certification plate stated the footage of the well was 165 feet. District staff certified the well depth on the RFP to be 260.2 feet. District staff should only certify and pay on what is installed not on what is planned. The district board should review all request for payments to ensure payments are made based on actual units install.</p> <p>A corrective action is given to due</p>	X		<p><i>Regarding contract 42-2016-811 there is a corrective action based on there is a discrepancy on the footage of the well and the footage paid. The landowner has been contacted as well as the contractor. As of November 29th, 2017, a letter was sent to the landowner requesting the difference in funds. The difference totals \$1,428.00, in the letter it stated that he has thirty days to repay the funds. The first letter was not accepted and returned to the district through certified mail on January 10th, 2018. As of January 11th, 2018, a second letter was sent through certified mail and it was accepted on January 19th, 2018. The district received confirmation on January 22nd, 2018. We have been following "Non-Compliance with Maintenance Requirements for Cost Share Contracts".</i></p>	2/6/2018	<p>Plan of action accepted.</p> <p>The division has received a check for \$1,428 from the cooperators for repayment of the overage on the well. A refund of \$1,428 in AgWRAP funds has been re-allocated to the district. Nothing further is required.</p>

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					to the discrepancy and subsequently the RFP was overpaid. Please follow the noncompliance policy and request cost recovery for the footage of well not installed in the amount of \$1,428.					

Field Portion Comments: There were 2 BMP recommendations and 2 BMP corrective actions. A recommendation was also given to include all documentation in the files such as the benchmark measures, field notes and conservation plan. The division recognizes newer contracts have more complete documentation than the older contracts.